



Order Filed on January 13, 2023
by Clerk
U.S. Bankruptcy Court
District of New Jersey

MELLINGER KARTZMAN LLC

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Attorneys for Steven P. Kartzman, Chapter 7 Trustee

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:

**JAMES X. REZABALA and ERIKA
M. PENACHI,**

Debtors.

Case No. 19-25396 (VFP)

Chapter 7

Honorable Vincent F. Papalia

**ORDER FIXING THE DISTRIBUTION TO GERALDINA OBANDO
(THE "CO-OWNER") FROM THE SALE PROCEEDS OF 3365 KENNEDY
BOULEVARD, JERSEY CITY, NEW JERSEY (THE "PROPERTY") PURSUANT TO 11
U.S.C. §§ 105 AND 363(j)**

The relief set forth on page two (2) and three (3) is hereby **ORDERED**.

DATED: January 13, 2023

A handwritten signature in black ink, appearing to read "Vincent F. Papalia", is written over a horizontal line.

Honorable Vincent F. Papalia
United States Bankruptcy Judge

Debtor: James X. Rezabala and Erika M. Penachi
Case No.: 19-25396 (VFP)
Caption: Revised Order Fixing the Distribution to Geraldina Obando (the “Co-Owner”) from the Sale Proceeds of 3365 Kennedy Boulevard, Jersey City, New Jersey (the “Property”) Pursuant to 11 U.S.C. §§ 105 and 363(j)

THIS MATTER having been brought before the Court by Steven P. Kartzman, the Chapter 7 Trustee (the “Trustee”), by and through his attorneys Mellinger Kartzman LLC, by Motion for an entry of an Order Fixing the Distribution to Geraldina Obando (the “Co-Owner”) from the Sale Proceeds of 3365 Kennedy Boulevard, Jersey City, New Jersey (the “Property”) Pursuant to 11 U.S.C. §§ 105 and 363(j) (the “Motion”); and it appearing that notice of the Motion has been duly served; and the Court having conducted oral argument at a hearing held on January 12, 2023, and no objections having been filed, and for the reasons set forth in the Motion and those given on the record by the Court at that hearing, with the relief granted being modified accordingly, and for good cause shown, it is hereby:

ORDERED AS FOLLOWS:

1. The Co-Owner’s interest in the Property is fixed at one-third (1/3).
2. The Co-Owner’s share of the proceeds of the sale of the Property is fixed at \$50,728.68, subject to the terms of paragraphs 3, 4 and 5 of this Order.
3. The Co-Owner’s share of the proceeds of the sale of the Property is subject to a reduction for one-third (1/3) of the fees incurred by counsel for the Trustee since July 7, 2022. Counsel for the Trustee shall prepare and submit a fee application in the ordinary course. If granted by the Court, the Trustee shall submit an Application on notice to the Co-Owner for an Order reducing the Co-Owner’s share of the proceeds of sale by one-third (1/3) of the amount of fees awarded by the Court.
4. Once the amount due to the Co-Owner is finalized as described herein, the Trustee shall be authorized and directed to pay to the Co-Owner the amount so fixed by Order of the Court, in full and final satisfaction of the Co-Owner’s one-third share of the sale proceeds of the Property pursuant to 11 U.S.C. § 363(j).

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Debtor: James X. Rezabala and Erika M. Penachi
Case No.: 19-25396 (VFP)
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5. Once the Co-Owner receives payment in the amount fixed by Order of the Court, the Co-Owner's interest in the sale proceeds shall terminate without further Order.

6. A copy of this Order shall be served on all parties who are affected by this action within seven (7) days of the date hereof.

In re:
James X. Rezabala
Erika M. Penachi
Debtors

Case No. 19-25396-VFP
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0312-2
Date Rcvd: Jan 13, 2023

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 2

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
#	Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 15, 2023:

Recip ID	Recipient Name and Address
db	#+ James X. Rezabala, 3365 Kennedy Blvd., Jersey City, NJ 07307-4208
jdb	+ Erika M. Penachi, 453 Tomas Ave., Apt. 2, Lyndhurst, NJ 07071-3117

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 15, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 13, 2023 at the address(es) listed below:

Name	Email Address
Denise E. Carlon	on behalf of Creditor BANK OF AMERICA N.A. dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Douglas J. McDonough	on behalf of Creditor BANK OF AMERICA N.A. dmcdonough@flwlaw.com
Joseph R Zapata, Jr	on behalf of Plaintiff Steven P. Kartzman jzapata@msbnj.com
Kevin Gordon McDonald	on behalf of Creditor BANK OF AMERICA N.A. kmcdonald@kmlawgroup.com, bkgroup@kmlawgroup.com

District/off: 0312-2

User: admin

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Date Rcvd: Jan 13, 2023

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jloewenstein@msklaw.net;donnaz@msklaw.net;pmasiello@msklaw.net

Steven P. Kartzman

on behalf of Attorney Mellinger Kartzman LLC Trustee@msklaw.net
nj16@ecfcbis.com;jloewenstein@msklaw.net;sjayson@msklaw.net;skartzman@msklaw.net;donnaz@msklaw.net;pmasiello@msklaw.net

Steven P. Kartzman

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U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

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bonomolawecf@gmail.com;claudia@garanticesufuturo.com;lediazlaw@gmail.com;bonomowr58406@notify.bestcase.com

William P. Bonomo

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TOTAL: 11